



Docket No.: 392.1716

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Tomonaga YAMAMOTO, et al.

Group Art Unit: 2834

Serial No. 09/871,642

Examiner: H. Elkassabgi

Filed: June 4, 2001

For: A ROTOR FOR A SYNCHRONOUS MOTOR DEFINED BY A HYPERBOLIC FUNCTION (AS AMENDED)

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability/Office Action mailed July 23, 2004.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of identified claims. However, it is submitted that not all of the features listed by the Examiner are recited in all of the identified claims.

By way of example, the Examiner's Reasons refer to a "rotor core". However, independent claims 1, 5, 6, 12 and 13 do not recite this feature. Furthermore, the Examiner refers to pages 3-4 of the specification. However, it is noted that the claims do not recite the entirety of the referenced portions of the specification.

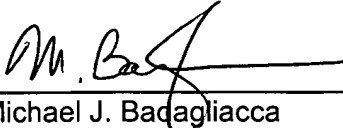
It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 9-2-04

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